

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions and listings of claims in the application:

① (Currently Amended) A fuel cell electrocatalyst comprising:

a carrier; and

a catalyst layer made of a plurality of Pt-Ru alloy particles supported on the carrier, wherein an oxygen content in an entirety of at least one particle is between 3.87 wt% and 4.4 wt%.

2. Cancelled.

② 3. (Currently Amended) A method of producing a fuel cell electrocatalyst

comprising:

a supporting step of supporting a catalyst layer made of a plurality of particles of an alloy including Pt and Ru on a carrier; and

an oxygen content regulating step of reducing an oxygen content in at least one particle in its entirety to between 3.87 wt% and 4.4 wt%.

3 4. (Currently Amended) The method of producing a fuel cell electrocatalyst according to claim 3, wherein:

the oxygen content regulating step reduces the oxygen content to between 3.87 wt% and 4.4 wt% or less in the plurality of particles ~~entirety of the particle~~.

5. (Cancelled).

4 6. (Original) The method of producing a fuel cell electrocatalyst according to claim 3, wherein:

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the supporting step includes a heating step of heating the catalyst layer, and the oxygen content regulating step is a step of keeping the catalyst layer in a non-oxidizing atmospheric state in the heating step.

5 7. (Original) The method of producing a fuel cell electrocatalyst according to claim 6, wherein:

the non-oxidizing atmospheric state in the oxygen content regulating step is a state in which a non-oxidizing substance is adsorbed on a surface of the catalyst layer.

6 8. (Original) The method of producing a fuel cell electrocatalyst according to claim 6, wherein:

the non-oxidizing atmospheric state is a reducing atmospheric state.

7 9. (Currently Amended) A fuel cell electrocatalyst according to claim 1, wherein the oxygen content in the entirety of each particle in the plurality of particles is between 3.87 wt. % and 4.4 wt. % or less.

8 10. (Previously Presented) A fuel cell electrocatalyst according to claim 1, wherein said at least one particle has a diameter of 3.5 nm.

9 11. (Previously Presented) A fuel cell electrocatalyst according to claim 10, ⁸ between 3.87 wt. % and 4.4 wt. % or less. wherein an allowable oxygen content of said catalyst layer is 4.4 wt. % ~~or less.~~

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